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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,471	12/22/2005	Bartel Martinus Van De Sluis	NL 020738	3654

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BRIARCLIFF MANOR, NY 10510

EXAMINER

LONG, ANDREA NATAE

ART UNIT	PAPER NUMBER
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2176

MAIL DATE	DELIVERY MODE
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10/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/523,471

Applicant(s)

VAN DE SLUIS, BARTEL
MARTINUS

Examiner

Andrea N. Long

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-18 have been examined in response to application filed 02/07/2005.

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. **The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided.** The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 17 and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. There is no support in the specification of a computer program product or element comprising computer program code, which enables one skilled in the art to make or use the invention. The specification only supplies insight on a device and lacks an adequate description of computer program code or an element.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-2, 6-9, 13-14, 17, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Autry et al (US Patent 5724106), hereinafter “Autry”.**

As to independent claim 1, Autry teaches a method of selecting an application to be presented on a least one output unit, where a first input unit is associated with a first application

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and a second input unit is associated with at least a second application (column 6 lines 26-27, column 7 lines 20-22, lines 27-32, and column 13 lines 24-51 – Autry teaches a home entertainment system which allows one or multiple remote controllers to select control the displaying of multiple applications, such as gaming applications, computer applications, and TV applications), including

identifying an active input unit (column 13 lines 37-38 – taught as receiving a signal from a remote), and

presenting the associated application on the output unit, upon the identification of the active input unit (column 13 lines 40-42 – taught as the processor identifying which application should be applied and presented).

As to dependent claim 2, Autry teaches wherein the step of identifying the active input unit, includes sensing a movement of the input unit (column 4 lines 3-5 – taught as transmitting signals to the computer which identify the movements of the pointing device ex. trackball, joystick, touchpad, which are all known devices in which movement or motion is used for detecting activation of input).

As to dependent claim 6, Autry teaches controlling the selected application by the active input unit that is specially designed for applications of the same type as the associated application (column 7 lines 27-40).

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As to dependent claim 7, Autry teaches starting the application if said application is singular (column 3 lines 24-57).

As to dependent claims 8 and 9, Autry teaches in which the associated application is presented on a visual screen, television screen (column 6 lines 26-61, column 13 lines 40-42).

As to dependent claims 13, 17, and 18, claims 13, 17, and 18 recite substantially similar subject matter as that of claim 1 and is rejected under the same rational.

As to dependent claim 14, Autry teaches at least one motion sensor arranged to sense movement of an input unit (column 4 lines 3-5).

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6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 1, 7-8, 13, 17 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Reginia Chan (US Patent 6349386), hereinafter “Chan”.**

As to independent claim 1, Chan teaches a method of selecting an application to be presented on a least one output unit, where a first input unit is associated with a first application and a second input unit is associated with at least a second application (column 3 lines 17-22 – Chan teaches having multiple function keys with each key having a corresponding application program stored with the key), including

identifying an active input unit (column 3 lines 6-9 – taught as receipt of activation of a function key), and

presenting the associated application on the output unit, upon the identification of the active input unit (column 3 lines 23-36 – taught as displaying the selected application on an LCD display).

As to dependent claim 7, Chan teaches starting the application if said application is singular (column 3 lines 17-22).

As to dependent claim 8, Chan teaches wherein the associated application is displayed on a visual screen (column 3 lines 33-36).

As to dependent claims 13, 17, and 18, claims 13, 17, and 18 recite substantially similar subject matter as that of claim 1 and is rejected under the same rationale.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Autry.**

As to dependent claim 10, Autry teaches associating applications with an input unit. Autry does not explicitly teach which the associated application is the application that was presented when the input unit was used last. However it is well known in the art that when a computer system is idle for a set amount of time, a screen saver would display. If a user immediately presses a key or moves the mouse, the system would present the same application originally in use. It would have been obvious to one skilled in the art at the time the invention

was made to include presenting the last associated application to eliminate re-launching the application.

As to dependent claim 11, Autry teaches a controller for a multimedia system. The use of an input unit to control ending or pausing of an application is commonly used in multimedia systems such as TVs and VCRs and would have been obvious to one skilled in the art at the time the invention was made to be included the system for control of presenting.

10. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chan.

As to dependent claim 12, Chan teaches associating at least one active input unit with at least a first and a second application (column 3 lines 17-22). While Chan does not explicitly teach that the associating of an application takes place after the use of said at least one active input unit, there are well know systems such as LogicTech, which allows a user to assign functions/applications to an input unit at anytime. It would have been obvious to one skilled in the art at the time the invention was made to have associating of applications to an input unit at any point of use of the system to provide flexible manipulation of launching applications.

11. Claims 3-5 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Autry in view of Abraham et al (US Patent 6069615), hereinafter "Abraham".

As to dependent claim 3, 4, and 5, Autry teaches selecting an application to be presented on at least one output unit. Autry does not forcefully teach determining the output unit from at least two output units by measuring the strength of a signal coming from an interface unit and then selecting the output unit for which interface unit has measured the highest signal strength. Abraham teaches fanout box that switches controls for a multi-display dependent of the location of a cursor (input unit) in the display (column 2 lines 16-22, 41-49, column 3 lines 1-8, 41-46).

It would have been obvious to one skilled in the art at the time the invention was made to have included the multi-display and fanout box of Abraham with the multimedia system of Autry to reduce clutter and provide ease of transitioning from one display to another and to launch an application at the focus point of a display (cursor) for quick and efficient capture of a user's attention.

As to dependent claims 15 and 16, Autry teaches selecting an application to be presented on at least one output unit. Autry does not forcefully teach determining the output unit from at least two output units by measuring the strength of a signal coming from an interface unit and then selecting the output unit for which interface unit has measured the highest signal strength. Abraham teaches fanout box that switches controls for a multi-display dependent of the

location of a cursor (input unit) in the display (column 2 lines 16-22, 41-49, column 3 lines 1-8, 41-46).

It would have been obvious to one skilled in the art at the time the invention was made to have included the multi-display and fanout box of Abraham with the multimedia system of Autry to reduce clutter and provide ease of transitioning from one display to another and to launch an application at the focus point of a display (cursor) for quick and efficient capture of a user's attention.

12. Claims 3-5 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chan in view of Abraham.

As to dependent claims 3, 4, and 5, Chan teaches selecting an application to be presented on at least one output unit. Chan does not forcefully teach determining the output unit from at least two output units by measuring the strength of a signal coming from an interface unit and then selecting the output unit for which interface unit has measured the highest signal strength. Abraham teaches fanout box that switches controls for a multi-display dependent of the location of a cursor (input unit) in the display (column 2 lines 16-22, 41-49, column 3 lines 1-8, 41-46).

It would have been obvious to one skilled in the art at the time the invention was made to have included the multi-display system and fanout box of Abraham with the multimedia system of Chan to reduce clutter and provide ease of transitioning from one display to another and to

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launch an application at the focus point of a display (cursor) for quick and efficient capture of a user's attention.

As to dependent claims 15 and 16, Chan teaches selecting an application to be presented on at least one output unit. Chan does not forcefully teach determining the output unit from at least two output units by measuring the strength of a signal coming from an interface unit and then selecting the output unit for which interface unit has measured the highest signal strength. Abraham teaches fanout box that switches controls for a multi-display dependent of the location of a cursor (input unit) in the display (column 2 lines 16-22, 41-49, column 3 lines 1-8, 41-46).

It would have been obvious to one skilled in the art at the time the invention was made to have included the multi-display system and fanout box of Abraham with the multimedia system of Chan to reduce clutter and provide ease of transitioning from one display to another and to launch an application at the focus point of a display (cursor) for quick and efficient capture of a user's attention.

Conclusion

13. The prior art made of record on Form PTO 892 and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The examiner can normally be reached on Mon - Thurs 6:00 am to 3:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea Long
October 6, 2007

William S. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER